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MEMORANDUM

9 June 1951

TO : CTD

SUBJECT: Per Diem Payments to [REDACTED]

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1. In connection with a change in assignment of [REDACTED] we are advised that Confidential Funds raised a question regarding possible recovery of per diem payments made to [REDACTED]. In this connection, if the payments were otherwise proper no recovery should be made, since [REDACTED] is transferred not at his request or convenience, but for the exclusive convenience of the Government and by proper administrative determination.

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2. In connection with the above question, it was discovered that the per diem payments made to [REDACTED] were substantially in error, since the travel orders provided that he would receive travel expenses and per diem while enroute to Washington, but would receive no per diem while in Washington on TDY [REDACTED] was paid the full per diem in accordance with existing regulations amounting to a total of \$1,080 00.

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3. It was further discovered that the restriction on payment of per diem while in Washington was made in an unauthorized manner and was not approved and is not approved by the Office of Special Operations. Confidential Funds Regulations, Paragraph 10.2, in effect at the time this travel order was issued, provided that "upon the recommendation of appropriate Assistant Directors" the Chief, Finance Division, may authorize travel, per diem, etc. On 11 September 1950 the undersigned, acting within proper delegation of authority, approved a request for appropriate EOD travel orders for [REDACTED] without limitation concerning per diem and with the express understanding that per diem would be paid in accordance with existing policy and procedures. Other employees of this same project received per diem, and there was no reason to discriminate against this particular individual. Without the knowledge of any officials of OSO, a member of the Employees Division inserted upon the travel order request: "No per diem while in Washington on TDY status". Nothing in the regulations authorized this limitation, certainly not without consultation with this office which would be required under paragraph 10.2 of the regulations. We believe the insertion of this restriction was simply a clerical error and was not done with intent on the part of the official who signed the standard personnel form.

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4. It is regrettable that this transaction involves the technical error in Confidential Funds in paying this per diem; however, had payment been withheld, this office would have become aware of the situation and would have corrected the record at that time providing for the per diem. Accordingly, although payment is in error, no collection should be made since the erroneous action was in fact proper and that which this office intended to be taken.

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5. The addressee is requested to take whatever action may be deemed appropriate to correct existing documents, leaving the per diem payment stand as made.

FOR THE ASSISTANT DIRECTOR, SPECIAL OPERATIONS


Deputy Chief, Administrative Staff

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